

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Parris Colon,

Plaintiff,

-against-

Department of Corrections et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 2/11/2022

1:20-cv-10130 (JPC) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

The Court is in receipt of Defendants' February 9, 2022 Letter indicating that they have been unable to contact Plaintiff since Defendants' counsel last spoke with him on January 11, 2022 and are unaware of an address where he is able to receive mail. (Letter, ECF No. 34.) Accordingly, they are unable to complete discovery. (*See id.*)

Given these circumstances, it is hereby Ordered that the deadline for the completion of discovery is adjourned *sine die*. The parties are directed to appear for a telephone conference on Friday, March 11, 2022 at 11:00 a.m. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745.

Plaintiff is warned that failure to appear for the conference may result in the imposition of sanctions up to and including a recommendation to the District Judge that his case be dismissed for failure to prosecute. *See Fed. R. Civ. P. 41(b).* Although the Court is sympathetic to what appears to be Plaintiff's difficult housing situation, an "action cannot proceed at all unless the Court and defense counsel are able to contact plaintiff to, *inter alia*, arrange conferences, obtain discovery, serve motions and schedule trial." *Hatch v. Doe 1*, No. 14-CV-03628 (JS) (GRB),

2016 WL 11481192, at *2 (E.D.N.Y. Mar. 28, 2016), *report and recommendation adopted*, 2016 WL 4129103 (E.D.N.Y. Aug. 2, 2016) (dismissing *pro se* action pursuant to Rule 41(b)). At the very least, Plaintiff must check the public docket, or otherwise inquire about his case, until he is able to provide an updated address.

The Clerk of Court is respectfully requested to mail a copy of this Order to Plaintiff at the address listed on the docket.

SO ORDERED.

DATED: New York, New York
 February 11, 2022



STEWART D. AARON
United States Magistrate Judge